

BILL NO. S-91-04-*28*

SPECIAL ORDINANCE NO. S-116-91.

AN ORDINANCE approving the awarding of Reference #5001 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and AMERICA SIGMA, INC. for the Water Pollution Control Plant.

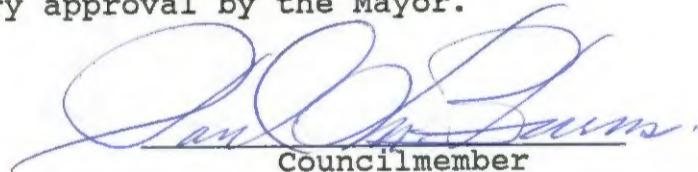
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #5001 between the City of Fort Wayne, by and through its Department of Purchasing and AMERICA SIGMA, INC. for the Water Pollution Control Plant, is hereby ratified, and affirmed and approved in all respects, respectfully for:

industrial waste water samplers for the Water Pollution Control Plant; involving a total cost of Forty-Three Thousand Seventy-Eight and no/100 Dollars (\$43,078.00).

SECTION 2. Prior Approval has been requested from Common Council on APRIL 23, 1991. Two copies of said Reference are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.



Dan W. Davis  
Councilmember

APPROVED AS TO FORM  
AND LEGALITY



J. Timothy McCaulay  
City Attorney



## THE CITY OF FORT WAYNE

April 19, 1991

The Common Council  
Fort Wayne IN

RE: Reference No. 5001

Gentlemen and Mrs. Bradbury:

The Department of Purchases respectfully requests "Prior Approval" of Reference No. 5001, with respect to the purchase of industrial waste water samplers for the Water Pollution Control Plant. In order to meet the requirements of a recently agreed order with the Indiana Department of Environmental Management the Department would like to request a "Prior Approval" in order to avoid additional fines. The cost reflects the lowest and most responsive of two (2) vendors and should be awarded to American Sigma in the amount of \$43078.00+/-.. This will be assigned a purchase order number upon Councilmanic approval.

DEPARTMENT OF PURCHASES

Phillip B Myers  
Phillip B. Myers  
APPROVED:

CITY OF FORT WAYNE

Paul Helmke  
Paul Helmke, Mayor

ATTEST:

Sandra Kennedy, City Clerk

Attachment

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 5001 for industrial waste water samplers for the Water Pollution Control Plant.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Waste Water Samplers for sampling industrial waste so the industrial recruitment program can be enforced.

EFFECT OF NON-PASSAGE: Can not meet the requirements of the Indiana Department of Environmental Managements.

MONIES INVOLVED: American Sigma \$43078.00+/-

ACCOUNT INFO: WPC Plant 514-531-7193-4299

PRICE AGREEMENT: NO

PURCHASE ORDER: YES

SOURCE OF FUNDING: WPC Plant

PRIOR APPROVAL: Yes DATE: April 23, 1991  
(IF APPLICABLE)

REF. NO.: 5001  
DEPT: WPC PLANT  
DATE: 04/19/91  
ITEM/SERVICE: WATER WATER SAMPLERS

PURCHASING INFORMATION

ADVERTISED BID: YES  
DATES ADVERTISED:  
OPENING DATE:  
WRITTEN QUOTE: NO  
DUE DATE: 03/21/91

VERBAL QUOTE: NO  
SINGLE SOURCE: NO  
NO. OF VENDORS NOTIFIED: 10  
NO. OF VENDORS RECEIVING BID: 2  
NO. OF VENDORS RETURNING BID: 2  
NO. OF VENDORS DISQUALIFIED: 0  
NO. OF VENDORS NOT RESPONDING: 8

DATE SENT TO DEPT FOR RECOMM: 03/22/91

DATE RECOMMENDATION REC'D IN PURCH 04/19/91

COUNCIL INFORMATION

DATE INFO SENT TO LAW DEPT: 04/19/91  
INTRODUCTION DATE: 04/23/91  
DISCUSSION DATE: 05/14/91  
PASSAGE DATE: 05/21/91

ORDINANCE NO:

AMOUNT APPROVED AND/OR SPENT  
LAST YEAR:

REFERENCE NO 5001  
WASTEWATER SAMPLERS  
3-21-91

DESCRIPTION	QTY	AMERICAN SIGMA	ISCO INC
SEQUENTIAL SAMPLERS	12	\$1,801.50	\$21,618.00
NICAD BATTERIES	24	\$175.00	\$4,200.00
BATTERY CHARGERS	2	\$245.00	\$490.00
SAMPLE BOTTLES	4	\$255.00	\$1,020.00
CAPS FOR ABOVE	4	\$90.00	\$360.00
SUSPENSION HARNESS	12	\$33.00	\$396.00
SUCTION LINE	4	\$40.00	\$160.00
STRAINERS/SUCTION LINE	12	\$32.00	\$384.00
			\$28,628.00
			\$34,407.00
COMPOSITE SAMPLERS	8	\$1,250.00	\$10,000.00
NICAD BATTERIES	16	\$175.00	\$2,800.00
BATTERY CHARGERS	2	\$245.00	\$490.00
GLASS BOTTLES W/CAPS	16	\$30.00	\$480.00
SUSPENSION HARNESS	8	\$33.00	\$264.00
SUCTION LINE	4	\$40.00	\$160.00
STRAINERS/SUCTION LINE	8	\$32.00	\$256.00
			\$14,450.00
GRAND TOTAL FOR BOTH			\$15,467.40
			\$43,078.00
			\$49,874.40

FRONT PAGE/INVITATION TO BID  
DEPARTMENT OF PURCHASING  
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA  
ONE MAIN STREET - ROOM 350  
PHONE 219-427-1101

BID OPENING DATE 3-21-91 @ 11:00 AM BID REFERENCE # 5001

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR WASTEWATER SAMPLERS PER  
SPECIFICATIONS

AND REQUESTED BY WATER POLLUTION CONTROL PLANT

THIS BID REQUIRES A XXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A        100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS:       % IF PAID WITHIN        DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME AMERICAN SIGMA, INC.

STREET ADDRESS 11601 MAPLE RIDGE ROAD

CITY MEDINA, NY 14103 PHONE # (800) 635-4567

BY DONALD L. MILLER  
REPRESENTATIVE SIGNATURE DONALD L. MILLER

14. Three (3) sets of operating instructions shall be provided.

The following accessories shall be supplied.

twenty-four (24) 12 V rechargeable Nicad batteries for use on samplers provided.

two (2) 5-station battery charger or equal.

four (4) sets of 100, 350 ml glass sample bottles for use in samplers.

four (4) sets of 100 bottles caps for the above bottles.

twelve (12) Stainless steel suspension harnesses.

four (4) 1/4" minimum x 100' suction line.

twelve (12) Polypropylene strainers for 1/4" minimum suction line.

QTY	UNIT	DESCRIPTION	UNIT / TOTAL
12	ea	Sequential wastewater samplers	\$1801.30 / 21,618
24	ea	Nicad batteries	\$ 175 / 4,200
2	ea	Battery chargers	\$ 245 / 490
4	ea	Sets of 100 sample bottles	\$ 255 / 1,020
4	ea	Sets of 100 caps for above	\$ 90 / 360
12	ea	Suspension harnesses	\$ 33 / 264
4	ea	Suction line	\$ 40 / 160
12	ea	Strainers for suction line	\$ 32 / 384

TOTAL:\$ 28,496

DELIVERY TIME: 21 DAYS

VALIDITY OF BID PRICE: 60  
(IN CALENDAR DAYS)

FOB: FT WAYNE

The following accessories shall be supplied:

- sixteen (16) - Waterproof and freezeproof rechargeable Nicad batteries.
- two (2) - 5-Station battery charger, or equal.
- sixteen (16) - 2 1/2 gallon glass bottles with plastic caps.
- eight (8) - Stainless steel suspension harnesses.
- four (4) - 1/4" x 100 feet suction line. (1" minimum)
- eight (8) - Polypropylene strainers for 1/4" minimum suction line.

QTY	UNIT	DESCRIPTION	UNIT / TOTAL
8	ea	Composite wastewater samplers	\$ 1,250/ 10,000
16	ea	Nicad batteries	\$ 175/ 2,800
2	ea	Battery chargers	\$ 245/ 490
16	ea	Glass bottles w/caps	\$ 30/ 480
8	ea	Suspension harnesses	\$ 33/ 264
4	ea	Suction line	\$ 40/ 160
8	ea	Strainers for suction line	\$ 32/ 256
TOTAL:\$		14,450	

DELIVERY TIME: 21 DAYS

VALIDITY OF BID PRICE: 60  
(IN CALENDAR DAYS)

FOB: FT WAYNE

GRAND TOTAL FOR BOTH SECTIONS OF BID

\$ 42,946

## BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.3)  
(Please type or print)

1. Governmental Units: City of Fort Wayne  
 2. County: Allen  
 3. Bidder (Firm): AMERICAN SIGMA, INC.  
 Address: 11601 Maple Ridge Road, P.O. Box 820  
 City/State: Medina, NY 14103  
 4. Telephone Number: (800) 635-4567  
 5. Agent of Bidder (If applicable): \_\_\_\_\_

Pursuant to notices given, the undersigned offers bid(s) to City of Fort Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

  
Signature of Bidder or Agent  
Donald L. Miller

## BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body.  
Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

## NON-COLLUSION AFFIDAVIT

STATE OF INDIANA )  
                    ) SSI:  
                    ) COUNTY:

State of New York  
Orleans County

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone of such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

AMERICAN SIGMA, INC.

  
Signature of Bidder or Agent

Subscribed and sworn to before me this 19<sup>th</sup> day of March 1991.

My Commission Expires:

12/31/91  
Orleans

County of Residence:

SANDRA M. VAUGHN  
Notary Public, State of New York

Qualified in Orleans County

My Commission Expires March 19, 1991 12/31/91

ACCEPTANCE

Sandra M. Vaughn

Notary Public Printed Name

There now being sufficient unobligated appropriated funds available, the contracting authority of (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered \_\_\_\_\_ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Date: \_\_\_\_\_

Contracting Authority Members:

\_\_\_\_\_  
\_\_\_\_\_

Read the first time in full and on motion by Burns,  
seconded by Goddard, and duly adopted, read the second time  
title and referred to the Committee on City Utilities (and the  
City Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Conference Room 128, City-County Building,  
Fort Wayne, Indiana, on 19, the 19 o'clock, M., E.S.T.  
of 1991

DATED: 4-23-91

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns,  
seconded by Goddard, and duly adopted, placed on its  
passage. PASSED COST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>			
<u>BRADBURY</u>	<u>✓</u>			
<u>BURNS</u>	<u>✓</u>			
<u>EDMONDS</u>	<u>✓</u>			
<u>GiaQUINTA</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 5-14-91

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK  
Kathy Goddard, Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. J-116-91  
on the 14th day of May, 1991.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK  
Kathy Goddard, Deputy Clerk

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 15th day of May, 1991,  
at the hour of 11:30 o'clock M., E.S.T.

Approved and signed by me this 15th day of May,  
1991, at the hour of 7:00 o'clock P.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK  
Kathy Goddard, Deputy Clerk

Paul Helmke  
PAUL HELMKE, MAYOR

BILL NO. S-91-04-28

REPORT OF THE COMMITTEE ON CITY UTILITIES

PAUL M. BURNS, CHAIRMAN  
CHARLES B. REDD, VICE CHAIRMAN  
EDMONDS, LONG, SCHMIDT

WE, YOUR COMMITTEE ON City Utilities TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) approving the awarding  
of Reference #5001 by the City of Fort Wayne, Indiana, by and  
through its Department of Purchasing and AMERICAN SIGMA, INC.  
for the Water Pollution Control Plant

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*P. Burns*  
*Charles Redd*  
*Edmonds*

DATED: 5-14-91.

Sandra E. Kennedy  
City Clerk